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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,719	08/13/2003	Wen-Jiang Chen	ACMP0029USA	1718
27765	7590	01/25/2006	EXAMINER	
NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION P.O. BOX 506 MERRIFIELD, VA 22116			VO, CLIFF N	
			ART UNIT	PAPER NUMBER
			2676	

DATE MAILED: 01/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/604,719

Applicant(s)

CHEN, WEN-JIANG

Examiner

CLIFF N. VO

Art Unit

2676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 November 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Priority*

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Taiwan on 8/16/2002. It is noted, however, that applicant has not filed a certified copy of the 091118588 application as required by 35 U.S.C. 119(b).

### *Drawings*

2. The drawings were received on 11/24/2003. These drawings are acceptable.

### ***Claim Rejections - 35 USC § 112***

3. Claim 8 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. In particular, the specification of the instant application fails to support the feature "makes different control demands corresponding to **the counterparts** of the first image data or the second image data" as now cited in claim 8.

4. Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claim 8 (line 5), the term "the counterparts" lacks clear antecedent basis.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wells et al (U.S. Patent No. 5,870,683) in view of Siefken (U.S. Patent Application No. 2002/0191113).

As per independent claim 1, Wells et al teach a method and apparatus for displaying user-selectable animation sequence on the display screen of a mobile phone (col.2, lines 15-18) comprising a microphone for transforming voice into a sound signal (Fig.1, 19), a radio module for transmitting the sound signal via radio, receiving signals transmitted to the mobile phone via radio and generating a corresponding communication signal (Fig.1, 14, 16; col.3, lines 8-14), a speaker for transforming the communication signal into sound wave (Fig.1, 17), a controller for controlling operations of the mobile phone (Fig.1, 18; col.3, lines 16-23), a display for displaying pictures (Fig.1, 20; Figs.4A-4C), a memory for storing pictures (Fig.1, 24; col.3, lines 59-64). It should be noticed that Wells et al fails to implicitly teaches how to generating a plurality of image data for display as now claimed, e.g., "generating a plurality of image data from the original picture to form a varying picture". Rather, Wells et al teach storing at least one current animation array containing a plurality of images, each of which being displayed after a predetermined period of time on the display screen (col.3, line 59 through col.4, line 3; Figs.4A-4C, "To, T1, T2"). However, Siefken teaches another data processing comprising a step of receiving/storing an initial image, i.e., "original picture" and generating a plurality of image data from the original picture to form a varying

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picture for display (Fig.9, [0082]-[0084]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the concept of generating a plurality of image data from the original picture to form a varying picture as described by Siefken into Wells et al system in order to make it more efficient since it would have reduced the memory space for storing a plurality of pictures to be displayed by simply storing just one picture, i.e., "original picture", and generating a plurality of pictures from that picture for display as now claimed.

As per dependent claim 2, Siefken further teaches wherein the varying picture is different from the original picture ([0015], lines 1-3).

As per dependent claim 3, Siefken further teaches a step of causing the color component, i.e., "image data", of the original picture changed in order to generate a varying picture ([0082], lines 4-7). This inherently includes a step of generating an original image data from the original picture as now claimed.

As per dependent claim 4, Siefken further teaches wherein the varying picture is calculated from the original image data by a calculation rule ([0016] and [0082], i.e., each of the varying pictures being generated by calculating the differences in hue, brightness, color space or angle of view with respect to the preceding image).

As per dependent claim 5, Siefken further teaches wherein the calculation rule is selected by the user ([0040], lines 7-12, i.e., the parameter defining the differences in hue, brightness, color space or angle of view with respect to the preceding image, i.e., "calculation rule", is selected by the user ([0048] lines 1-6)).

As per dependent claims 6 and 14, Wells et al further teach a control panel electronically connected with the controller for receiving control demands and transmitting the control demands to the controller (col.3, lines 24-32, "keypad 22").

As per dependent claims 7 and 15, it should be noticed that the system of Wells et al in view of Seifken fails to implicitly teach a step of setting a predetermined period of time for displaying each of a plurality of images on the display screen. However, such a concept of setting a predetermined period of time for displaying each of a plurality of images on the display screen was commonly well known in the computer art at the time the invention was made, e.g., "slide show", "screen saver" softwares. It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the concept of allowing the user to set a predetermined period of time for displaying each of a plurality of images on the display screen into Wells et al system in order to make it more user friendly since it would have allowed the user to select a desired transition time in presenting each of a plurality of images as now claimed.

As per dependent claim 8, due to the rejections under 112, 1<sup>st</sup> and 2<sup>nd</sup> paragraph to the claim as indicated in above, the examiner relies on the dictionary defining the term "counterparts" as "duplications" in rejecting the claim, the system of Wells et al in view of Seifken further teaches a step of generating the first image data or the second image data (Seifken's Fig.9, **91**, [0082]) and make different control demands correspond to the counterparts of the first image data or the second image data (Seifken's Fig.9, **94**, [0085], i.e., making a copy of image I1).

As per dependent claims 9 and 16, Wells et al further teach wherein the memory is a non-volatile memory (col.3, lines 43-53).

Claim 10 is similar to claim 1, Seifken further teaches a step of generating/displaying the second picture from the first picture (Fig.9, 91-94), and wherein the first picture and second picture are both different from the original picture ([0015], lines 1-3).

As per dependent claim 11, Seifken further teaches wherein the first picture is different from the second picture ([0015], lines 1-3).

As per dependent claims 12-13, Seifken further teaches the features as now claimed at [0016].

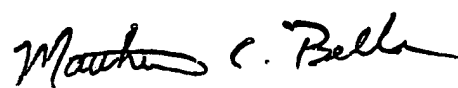
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CLIFF N. VO whose telephone number is 571-272-7651. The examiner can normally be reached on 2nd Monday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MATTHEW BELLA can be reached on 571-272-7778. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CLIFF N VO  
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